

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 26, 2003. Claims 1-10 remain pending in this application. Claims 1 and 7 are the independent claims. Favorable reconsideration is respectfully requested.

In response to the objection to Claim 1, Applicants respectfully believe the amendments to Claim 1 render the objection moot and respectfully request its withdrawal.

On the merits, the Office Action rejected Claims 1-10 under 35 USC § 102(b) as being anticipated by Giannini (U.S. Patent No. 4,860,354; hereinafter "Giannini"). Applicants respectfully submit that the pending application and claims are patentable for at least the following reasons.

Applicants' Claim 1 recites: "[a] portable signal activator comprising: a wearable garment having a body structure; a pressure-sensitive electrical activator switch mounted to the body structure of said garment and capable of activating a signaling device; and, a connection means extending from the electrical activator switch through a material fabric of the wearable garment to serve as a coupling to the signaling device."

Giannini, in contrast, fails to recite or suggest a connection through a material fabric of the wearable garment to couple the

device and the activator. Rather, Giannini recites leads, such as leads 52a and 52b in Fig. 5, that connect switches 16-26 and main control circuit 28 (see e.g., Col. 3, lines 27-33). Giannini fails to recite how these leads are integrated into the garment and appears from the figures to simply incorporate leads on a surface of the garment as opposed to through the material thereof. Thus Giannini lacks the added advantages of water-resistance and additional protection and functionality provided by Applicants' Claim 1. Applicants believe Claim 1 to be patentable for at least these reasons.

Claim 7 recites a method substantially corresponding to the portable signal activator of Claim 1 and is believed patentable for at least the same reasons.

Claims 2-6 and 8-10 depend from one or another of the independent claims discussed above and are believed patentable for at least the same reasons. In addition, however, it is also deemed to define an additional aspect of the invention, and should be individually considered on its own merits.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the currently-pending claims are clearly patentably distinguishable over the cited and applied references. Accordingly, entry of this amendment, reconsideration of the

rejections of the claims over the references cited, and allowance of this application is earnestly solicited.

Respectfully submitted,

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